

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search Regarding: No. 4:23-mj-203

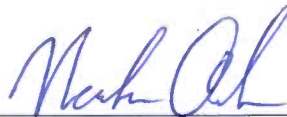
23-308-04

**REDACTED APPLICATION FOR  
SEARCH AND SEIZURE WARRANT**

I, Nathan Anderson, being first duly sworn, hereby depose and state as follows:

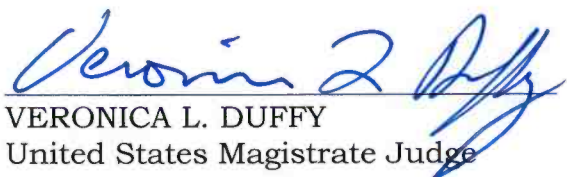
I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations, in Sioux Falls, South Dakota, and have reason to believe that within the property fully described in Attachment A, attached hereto and incorporated herein by reference, there is now concealed certain information, namely: that fully described in Attachment B, attached hereto and incorporated herein by reference, which I believe is property constituting evidence of the commission of criminal offenses, contraband, the fruits of crime, or things otherwise criminally possessed, or property designed or intended for use or which is or has been used as the means of committing criminal offenses, concerning violations of Title [REDACTED]

The facts to support a finding of Probable Cause are contained in my Affidavit filed herewith.



Nathan Anderson, Special Agent  
Homeland Security Investigations

Sworn to and subscribed before me, in my presence, on the 9<sup>th</sup> day of August, 2023, at Sioux Falls, South Dakota.



VERONICA L. DUFFY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search Regarding: No. 4:23-mj-203

23-308-04

**REDACTED SEARCH  
AND SEIZURE WARRANT**

TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER

An application by a federal law enforcement officer or an attorney for the government requests the search of the person and property described in Attachment A, attached hereto and incorporated herein by reference.

I find that the affidavit, or any recorded testimony, establish probable cause to search and seize the property described above for the information fully described in Attachment B, attached hereto and incorporated herein by reference, and that such search will reveal evidence of the violations of [REDACTED]

**YOU ARE COMMANDED** to execute this warrant on or before

Aug. 23, 2023 (not to exceed 14 days)


☒ in the daytime - 6:00 a.m. to 10:00 p.m.

☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the undersigned Judge.

8-9-23 at 2:50 pm CDT at Sioux Falls, South Dakota.  
Date and Time Issued

  
VERONICA L. DUFFY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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23-308-04

**REDACTED RETURN**

Date and time warrant executed: \_\_\_\_\_

Copy of warrant and inventory left with: \_\_\_\_\_

Inventory made in the presence of: \_\_\_\_\_

Inventory of the property taken and name of any person(s) seized (attach additional sheets, if necessary):

**CERTIFICATION**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Nathan Anderson, Special Agent  
Homeland Security Investigations

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding: No. 4:23-mj-203

23-308-04

**REDACTED ATTACHMENT A**

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This warrant applies to information associated with the following Meta Platforms Inc. (Facebook) user IDs:

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that are stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a business with offices located at 1601 Willow Road, Menlo Park, CA 94025.

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding No. 4:23-mj-203

23-308-04

**REDACTED ATTACHMENT B**

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**I. Files and Accounts to be produced by Meta Platforms Inc. (Facebook) between [REDACTED].**

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms, Inc., including any messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms, Inc. is required to disclose the following information to the government for the user ID listed in Attachment A:

(a)

[REDACTED]

(b)

[REDACTED]

(c)

[REDACTED]

(d)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- (e) [REDACTED]
- (f) [REDACTED]
- (g) [REDACTED]
- (h) [REDACTED]
- (i) [REDACTED]
- (j) [REDACTED]
- (k) [REDACTED]
- (l) [REDACTED]
- (m) [REDACTED]
- (n) [REDACTED]
- (o) [REDACTED]
- (p) [REDACTED]
- (q) [REDACTED]
- (r) [REDACTED]
- (s) [REDACTED]
- (t) [REDACTED]
- (u) [REDACTED]
- and
- (v) [REDACTED]

## II. Information to be seized by the government

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]:

(a)

[REDACTED]

[REDACTED];

(b)

[REDACTED]

[REDACTED];

(c)

[REDACTED];

(d)

[REDACTED]

[REDACTED];

(e)

[REDACTED]

[REDACTED];

(f)

[REDACTED];

(g)

[REDACTED]

[REDACTED];

(h)

[REDACTED];

(i)

[REDACTED];

(j)

[REDACTED]; and

(k)

[REDACTED]

[REDACTED].

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search Regarding No. 4:23-mj-203

23-308-04

**REDACTED AFFIDAVIT IN  
SUPPORT OF SEARCH AND  
SEIZURE WARRANT**

STATE OF SOUTH DAKOTA     )  
                                          :SS  
COUNTY OF MINNEHAHA     )

I, Nathan Anderson, being duly sworn on oath, depose and say:

**INTRODUCTION AND AGENT BACKGROUND**

1. Through this affidavit, I am requesting a search warrant be issued for all contents of the Facebook account associated to Facebook ID [REDACTED] ("**SUBJECT ACCOUNT**"), known to be associated to [REDACTED], that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a business with offices located at 1601 Willow Road, Menlo Park, CA 94025.

2. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) in Sioux Falls, South Dakota, and have been duly employed in this position since March 2020. I am a graduate of the Criminal Investigator Training Program (CITP) and HSI Special Agent Training Program (HSISAT) at the Federal Law Enforcement Training Center (FLETC). I have received specialized training pertaining to conducting criminal investigations, immigration and customs laws, investigative techniques, searching databases, conducting interviews, executing search warrants, and making arrests with respect to criminal violations of United States Code.

3. [REDACTED]

4. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that evidence of violations of United States Code are located within the accounts described in this affidavit.



5. I have received information from other law enforcement officers and sources of information by either verbal or written report. The officers and sources providing information may have received the information by way of personal knowledge or from another source.

6. [REDACTED]

#### **BACKGROUND OF INVESTIGATION**

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

[REDACTED]

10. [REDACTED]

[REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

- Name: [REDACTED]
- Address: [REDACTED]
- Email: [REDACTED]

16. [REDACTED]

17. [REDACTED]

[REDACTED]

18. [REDACTED]

19. [REDACTED]

s. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

### **TECHNICAL BACKGROUND**

23. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public).

24. Facebook asks users to provide basic contact information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

25. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, to all Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

26. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

27. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

28. Facebook has a Photos application, where users can upload an unlimited number of albums and photos. Another feature of the Photos application is the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, a user's "Photoprint" includes all photos uploaded by that user that have not been deleted, as well as all photos uploaded by any user that have that user tagged in them.

29. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile.

30. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs"), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

31. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

32. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

33. Facebook Pay is a money transfer service available to Facebook account holders. Facebook Pay funds are linked to payment sources provided by the Facebook account holder, including: Credit Cards, Debit Cards, and PayPal accounts. These payment sources are used to deposit and withdrawal money in and out of the Facebook Pay account.

34. Facebook Pay allows users to make payments on Facebook, Instagram, Messenger, and WhatsApp. Facebook account holders enter their payment account information into Facebook pay and then use Facebook pay to transfer money to various apps. Facebook pay can be used to transfer money between individuals and to make purchases from businesses and/or other entities.

35. Facebook Pay allows users to view payment history, manage payment information, and access customer support through Facebook. Facebook Pay is a service offered by Facebook.

36. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

37. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: friend lists; groups and networks of which the user is a member; "News Feed" information; "Wall" postings; "Notes"; status updates; links to videos, photographs, articles, and other items; event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

38. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

39. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their account, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well records of any actions taken by the provider or user as a result of the communications.

40. Therefore, the records of Facebook are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and account applications for SUBJECT ACCOUNT.

### **CONCLUSION**

41. 



Nathan Anderson, Special Agent  
Homeland Security Investigations

Subscribed and sworn to before me, this 9<sup>th</sup> day of August 2023, at  
Sioux Falls, South Dakota.



VERONICA L. DUFFY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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In the Matter of the Search Regarding No. 4:23-mj-203

23-308-04

**REDACTED ATTACHMENT A**

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This warrant applies to information associated with the following Meta Platforms Inc. (Facebook) user IDs:

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that are stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a business with offices located at 1601 Willow Road, Menlo Park, CA 94025.



UNITED STATES DISTRICT COURT  
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SOUTHERN DIVISION

In the Matter of the Search Regarding No. 4:23-mj-203

23-208-04

**REDACTED ATTACHMENT B**

**I. Files and Accounts to be produced by Meta Platforms Inc.  
(Facebook) between [REDACTED].**

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platforms, Inc., including any messages, records, files, logs, or information that have been deleted but are still available to Meta Platforms Inc., or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta Platforms, Inc. is required to disclose the following information to the government for the user ID listed in Attachment A:

(a)

(b)

(c)

(d)

(e)

(f)

(g)

(h)

(i)

(j)

(k)

(l)

(m)

(n)

(o)

(p)

(q)

(r)

(s)

(t)

(u)

(v)

and

## II. Information to be seized by the government

[REDACTED]

[REDACTED] :

- (a) [REDACTED]  
[REDACTED] ;
  - (b) [REDACTED]  
[REDACTED] ;
  - (c) [REDACTED] ;
  - (d) [REDACTED]  
[REDACTED] ;
  - (e) [REDACTED]  
[REDACTED] ;
  - (f) [REDACTED]  
[REDACTED] ;
  - (g) [REDACTED]  
[REDACTED] ;
  - (h) [REDACTED] ;
  - (i) [REDACTED]
  - (j) [REDACTED] ;
  - (k) [REDACTED] ; and
- [REDACTED] .